

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DARROW SMITH,

Plaintiff,

Case No. 10-12508

v.

Hon. John Corbett O'Meara

MERS, *et al.*,

Hon. Michael Hluchaniuk

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

Before the court is Magistrate Judge Michael Hluchaniuk's August 4, 2011 report and recommendation regarding Defendants' motions for summary judgment. Plaintiff sought an extension to file objections to the report and recommendation, which the court granted, allowing Plaintiff to file objections by September 5, 2011. No objections were filed, however.

This court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). The court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." *Id.*

Having reviewed Magistrate Judge Hluchaniuk's report and recommendation, the court adopts it as its own.

IT IS HEREBY ORDERED that Magistrate Judge Hluchaniuk's August 4, 2011 report and recommendation is ADOPTED.

IT IS FURTHER ORDERED that Defendants' motions for summary judgment are GRANTED IN PART and DENIED IN PART, consistent with the report and recommendation.

The only remaining claim is Plaintiff's Fair Debt Collection Practices Act claim against Trott & Trott.

s/John Corbett O'Meara  
United States District Judge

Date: September 27, 2011

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, September 27, 2011, using the ECF system and/or ordinary mail.

s/William Barkholz  
Case Manager